

# United States Senate

WASHINGTON, DC 20510-2803

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July 6, 2001

The Honorable Spencer Abraham  
Secretary of Energy  
1000 Independence Avenue SW  
Washington, DC 20585

Dear Secretary Abraham:

We are writing in regard to the Supplemental to the Draft Environmental Impact Statement (DOE/EIS-0250D-S) for the proposed geologic repository at Yucca Mountain, Nevada, which the Department of Energy (DOE) released in May 2001. The supplemental (SDEIS, hereafter) provides updates to the Draft Environmental Impact Statement (DEIS) reflecting modifications made to the design of the repository. The SDEIS, however, raises several concerns about the new design and the continued evolution in the design. Specifically, the significant changes in the design between the DEIS and SDEIS suggest that the final operating design could differ substantially from the one proposed in the SDEIS, and the SDEIS fails to address the effect of seismic activity on new design elements.

Although the DOE has indicated its intent to move forward with a determination of site suitability this year, significant changes with repository design could occur before or even after the environmental impact statement is finalized. The SDEIS has done little to address this problem. This concerns us, because the DOE is required by the Nuclear Waste Policy Act (Pub. L. 97-425, as amended) to provide a final environmental impact statement prior to a possible recommendation. It is imperative that the public in Nevada and throughout the United States and policy makers have an opportunity to comment on an environmental impact statement that reflects the design that would be implemented. The trend established by these changes suggests the design in the environmental impact statement that the public comments on may be significantly different from the design the DOE may eventually use.

We are also concerned by problems that the new design raises. In addressing the proposed behavior of the repository, the DOE provides a range of impacts for the possible repository configurations. In general, however, most of the environmental impacts for the new operating design appear to be greater than the corresponding impacts from the DEIS. In addition, the SDEIS appears to neglect consideration of effects from accidents caused by seismic activity. Several elements of the new repository design appear to be vulnerable to accidents, including the ventilation system for the repository cooling, the waste handling building, and the

The Honorable Spencer Abraham  
Page - 2  
July 6, 2001

010355

3 cont surface, fuel aging area.

4 Each of these elements is crucial to achieving the new design goals for the repository. The ventilation system is expected in some scenarios to remove 70 percent of the heat generated by the waste once it is buried in Yucca Mountain. In other scenarios, the ventilation system would be required to operate for as long as 300 years. The new waste handling facility would involve the temporary storage of commercial nuclear waste in fuel pools to obtain the appropriate temperature. Damage to one or more of these elements from seismic activity could affect the performance of the repository and have catastrophic consequences on the surrounding population and environment. The SDEIS, however, fails to consider the impact of seismic activity on many of these new features.

5 We are disappointed that the DOE released the SDEIS without properly addressing the impacts from many of the new design elements. In addition, the DOE fails to provide a comprehensive assessment of the national transportation impacts and local socioeconomic impacts from the proposed repository. With an ever-changing design and limited periods for public comment, the public in Nevada may not have adequate opportunity to comment on and learn about the expected impacts of the Yucca Mountain project. We are disappointed that the DOE did not take the opportunity with this SDEIS to address these concerns.

We appreciate your consideration of our views.

Sincerely,



HARRY REID  
U.S. Senator



JOHN ENSIGN  
U.S. Senator

cc: Dr. Jane R. Summerson, EIS Document Manager